

DEPARTMENT OF EMPLOYMENT AND LABOUR

NO. 5799

31 January 2025

NOTICE IN TERMS OF SECTION 62 (7) OF THE LABOUR RELATIONS ACT 66 OF 1995 (AS AMENDED)

PLEASE TAKE NOTICE THAT:-

Powder Metallurgy (Pty) Ltd is a company operating primarily in the automotive industry. It has been registered with the Motor Industry Bargaining Council (MIBCO) since 2023, having purchased all the automotive assets which served 93% of automotive clients from a company known as Centred Metal Products which was liquidated when Gabriels South Africa, an automotive client, closed abruptly. Centred Metal Products had been registered with the Metal and Engineering Industries Bargaining Council (MEIBC).

As at 08 November 2024 it is situated in Bellville-South, Cape Town, Western Cape province; and it employs seventeen (17) employees. Seven of the employees are members of the union UASA while ten perform administrative functions.

UASA obo of its members has applied to the Commission for Conciliation, Mediation and Arbitration ("the CCMA") in terms section 62(1) of the Labour Relations Act for a demarcation order to the effect that the company falls under the jurisdiction and jurisdiction of the MEIBC. Powder Metallurgy (Pty) Ltd and MIBCO do not support this view. Powder Metallurgy (Pty) Ltd also claims that their strategy and assets are aligned with MIBCO.

The CCMA believes that the questions raised by this demarcation dispute are potentially of wider application in that there may be other parties who have an interest in this dispute, and those parties may well be affected by the outcome of this application. Such entities should have the right to make representations to the CCMA. The CCMA therefore invites written representations in relation to the issue in dispute by any interested party.

Written representations may be made within 21 calendar days of the date of publication of this notice, and should be clearly marked with reference number **WECT 16094 - 24** and directed to:-

Ms Winifred Cupido

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Email: WinifredC@CCMA.org.za

Hand-delivered: 6th Floor,

CCMA House

78 Darling Street,

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